

REMARKS

I. Status of the claims

Claims 1-25 remain pending in this application.

In the Final Office Action of May 18, 2005, (“OA”)¹ claims 1-4, 9-19 and 21-25 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,570,591 to *Crovetto et al.* (“*Crovetto*”); and claims 5-8 and 20 were rejected under 35 U.S.C. § 103(a) as unpatentable over *Crovetto* in view of U.S. Patent No. 6,493,661 to *White, III et al.* (“*White*”). The rejections are addressed below.

III. Rejection of claims 1-4, 9-19 and 21-25 under 35 U.S.C. § 102(e)

Applicants respectfully traverse the rejection of claims 1-4, 9-19 and 21-25 under 35 U.S.C. § 102(e) for the following reasons.

The examiner maintains the same positions set forth in the Office Action mailed October 21, 2004. In response to Applicants’ argument presented in the Amendment filed January 1, 2005, the Examiner asserts that *Crovetto* “discloses a name of a directive or command that must be replaced by commanding string data at runtime, therefore [teaches] a resource string to retrieve data” (OA at 6). The Examiner, however, does not provide any evidence to support this notion.

In contrast to the Examiner’s assertion, *Crovetto* states that “the visual syntax builder (3) can **cause the formatting of the specified directive or command** and corresponding operational parameters into a command string” (col. 4, lines 65-68) (emphasis added). Formatting a specified directive or command and corresponding operational parameters is not the

¹ The Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Final Office Action.

same as replacing a resource string with retrieved data and replacing a parameter with a user interface element, as asserted by the Examiner.

Further, contrary to the Examiner's assertion, *Crovetto* does not teach that a command string containing a parameter associated with an element of the user interface (OA at 6). Instead, *Crovetto* discloses that in response to the user's selection of a command (37) or a directive (35), the visual syntax builder (3) can retrieve from the command/directive database (9A/9B) a directive or command template containing the operational parameters corresponding to the selected command/directive (col. 5, lines 58-64). The directive or command template can include a list of corresponding operational parameters, an indication of valid values for each operational parameter and the data type of each operational parameter (col. 6, lines 2-5). For each operational parameter analyzed, *Crovetto* discloses that the visual syntax builder (3) can add an appropriate user interface element to the parameter display area (col. 6, lines 12-14).

The Examiner referred to 49 in *Crovetto* as support for a parameter associated with an element of the user interface (OA at 6). *Crovetto*, however, does not disclose a resource string used to retrieve resource data containing at least one parameter associated with an element of a user interface and integrated into a syntactical structure associated with data, as asserted by the Examiner. Rather, *Crovetto* discloses analyzing the listed parameters, and then adding appropriate interface elements for displaying the operational parameters.

Applicants' arguments are bolstered by the fact the Examiner does not provide supporting evidence in *Crovetto*. Indeed, the Examiner glosses over Applicants' argument regarding *Crovetto* by merely disagreeing with Applicants (OA, pages 6-7, "As to the argument that *Crovetto* fails to teach 'that the template includes a parameter that is associated with an element of the user interface and that is integrated into a syntactical structure associated with the

template,' the examiner disagrees.'"). Nowhere does the Examiner elaborate on the position set forth in the Office Action. 37 C.F.R. § 1.104(c)(2) requires the Examiner to clearly explain the pertinence of *Crovetto*, which in this case includes explaining why the Examiner disagrees with Applicants' position regarding the deficiencies of the cited reference. The reason for the Examiner's unsupported conclusion is clear. *Crovetto* does not disclose at least retrieved data containing parameter being integrated into a syntactical structure associated with the data, as asserted by the Examiner.

For at least the reasons advanced above, Applicants submit that the rejection of independent claim 1 under 35 U.S.C. § 102(e) is not supported by the cited art and should therefore be withdrawn, and the claim allowed.

The Examiner rejected independent claim 9 for the same reasons set forth in the rejection of claim 1. Although claim 9 is of different scope than claim 1, the rejection of claim 9 is equally unsupported by *Crovetto*. For at least reasons similar to those presented above in connection with claim 1, *Crovetto* does not teach a data element containing at least one parameter associated with at least one component of a user interface program, as asserted by the Examiner. Further, *Crovetto* does not teach replacing the resource string with the data element, as asserted. For at least these reasons, the § 102(e) rejection of independent claim 9 should be withdrawn, and the claim allowed.

The Examiner rejected independent claim 18 for the same reasons set forth in the rejection of claim 1. Although claim 18 is of different scope than claim 1, the rejection of claim 18 is equally unsupported by *Crovetto*. For example, *Crovetto* does not teach replacing the at least one resource string with the retrieved data, further, the reference fails to disclose replacing at least one parameter with at least one component, as asserted by the Examiner. For at least

reasons similar to those presented above in connection with claim 1, *Crovetto* does not teach retrieving data containing at least one parameter associated with at least one component of a user interface with at least one resource string, as asserted by the Examiner. For at least these reasons, the § 102(e) rejection of independent claim 18 should be withdrawn, and the claim allowed.

The Examiner rejected independent claim 22 for the same reasons set forth in the rejection of claim 1. Although claim 22 is of different scope than claim 1, the rejection of claim 22 is equally unsupported. For at least reasons similar to those presented above in connection with claim 1, *Crovetto* does not teach retrieving at least one message containing at least one parameter representing at least one element of a user interface and integrated into a syntactical structure associated with the message, as asserted by the Examiner. Although *Crovetto* mentions adding user interface elements to a display for parameters, the reference does not teach a parameter that represents at least one element of the user interface and that is integrated into a syntactical structure associated with the message. Accordingly, because *Crovetto* does not support the rejection of claim 22, Applicants request the rejection be withdrawn and the claim allowed.

Claims 2-4, 10-17, 19, 21, and 23-25 depend from claims 1, 9, 18, and 22, respectively. As explained, *Crovetto* does not support the rejection of claims 1, 9, 18, and 22, under 35 U.S.C. § 102(e). Accordingly, the cited art does not support the rejection of claims 2-4, 10-17, 19, 21, and 23-25 for at least the same reasons set forth in connection with claims 1, 9, 18 and 22. Therefore, Applicants request the rejection of claims 2-4, 10-17, 19, 21, and 23-25 be withdrawn, and the claims allowed.

IV. Rejection of claims 5-8 and 20 under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claims 5-8 and 20 under 35 U.S.C. § 103(a) because a case for *prima facie* obviousness has not been established. To establish *prima facie* obviousness under 35 U.S.C. § 103(a), the applied references, taken alone or in combination, must teach or suggest each and every element recited in the claims. See M.P.E.P. § 2143.03 (8th ed. 2001).

The Examiner admits *Crovetto* does not disclose locale identification by a resource string (OA at 4). In an attempt to make up for this deficiency, the Examiner alleges that *White* discloses identifying a locale associated with the user or the computer system and using the resource string to retrieve data associated with the user's locale. Applicants disagree.

As explained above in connection with claim 1, *Crovetto* does not teach or suggest at least "data containing a parameter associated with a component of the user interface, the parameter being integrated into a syntactical structure associated with the data" and "replacing the resource string with the data," as asserted by the Examiner.

Further, *White* does not cure *Crovetto*'s deficiencies. *White* is directed to a "multi-language software system" (Abstract). Like *Crovetto*, *White* does not teach or suggest "data containing a parameter associated with a component of the user interface, the parameter being integrated into a syntactical structure associated with the data," or "replacing the resource string with the data," as asserted by the Examiner.

Instead, the text message string disclosed by *White* contains the content of text messages in a supported language (col. 3, lines 57-60; Figure 3). *White* does not teach or suggest using the text message strings to retrieve data associated with the user's locales, as alleged by the Examiner. Further, *White* and *Crovetto*, alone or in combination, fail to teach or suggest

replacing a resource string with the data obtaining at least one component of at a user interface, and replacing at least one parameter with at least one component, as alleged by the Examiner.

Because the recited art does not support the rejection of claim 5 under 35 U. S. C. § 103(a), Applicants request the rejection be withdrawn and the claim allowed.

Moreover, in response to Applicants' arguments that determinations of obviousness must be supported by evidence on the record, and further, the desire to combine references must be proved with substantial evidence, the Examiner stated "*White* teaches making an interface user-friendly to people speaking different languages" (OA at 7).

Applicants call attention to M.P.E.P. § 2143.01, which makes clear that: "[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination" (citations omitted). *White* discloses a way to provide help in using software that allows a user to change the spoken language in which help is provided without reinstall the software (col. 1, lines 22-24); while *Crovetto* discloses an invention relates to the command and control systems and a visual syntax builder for space vehicle control (col. 1, lines 14-16). *Crovetto* does not discuss any help text messaging functionality, nor any multi-language text message functionality. Conversely, *White* does not discuss any command and control systems. Accordingly, one skilled in the art would not have been motivated to combine *Crovetto* and *White*, as asserted by the Examiner.

Furthermore, the Office Action does not provide a proper motivation from the knowledge generally available to one skilled in the art. Applicants submit that the Examiner's conclusions in the Office Action pertaining to obviousness were not reached based on facts gleaned from the cited references and that, instead, teachings of the present application were improperly used in hindsight to reconstruct the prior art. For at least these additional reasons, a *prima facie* case of

obviousness has not been established with respect to claim 5 and the rejection of that claim under 35 U.S.C. § 103(a) should be withdrawn.

Claims 6-8 depend upon claim 5. For at least the reasons presented above in connection with claim 5, the rejection of claims 6-8 is not supported by *Crovetto* and *White*, either alone or in combination.² Accordingly, the rejection of claims 6-8 is not supported by the cited art and should therefore be withdrawn.

Claim 20 depends upon claim 18. For at least the reasons presented above in connection with claim 18, the rejection of claim 20 is not supported by *Crovetto*. Further, *White* does not provide support for the rejection. Like *Crovetto*, *White* does not teach or suggest at least retrieving data containing at least one parameter associated with at least one component of a user interface with at least one resource string or replacing the at least one resource string with the retrieved data, as asserted by the Examiner. For at least these reasons, a *prima facie* case of obviousness has not been established with respect to claim 20 and the rejection of this claim under 35 U. S. C. § 103(a) should be withdrawn. In addition, a *prima facie* case of obviousness has not been established with respect to claim 20 at least because the requisite motivation to combine the references is lacking, as discussed above in connection with claims 5-8. For this additional reason, the rejection of claim 20 should be withdrawn, and the claim allowed.

For the foregoing reasons, the cited art does not support the rejections of claims 5-8 and 20 under 35 U.S.C. § 103(a) and thus the rejection should be withdrawn and the claims allowed.

² The Examiner's additional allegations regarding motivation set forth in the rejection of claim 8 are not properly supported and do not show that a skilled artisan would have combined/modified the references as alleged.

V. Conclusion

Applicants request reconsideration of this application in view of the foregoing arguments and the timely allowance of the pending claims.


Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: _____


Sherry X Wu
Reg. No. 54,553